

LAW OFFICE OF
JEFFREY S. LIPKIN
1000 C LAKE STREET
RAMSEY, NEW JERSEY 07446

(201) 962-3876

FAX (201) 962-3877

JEFF@JEFFLIPKINLAW.COM

February 16, 2023

Hon. Michael A. Hammer, U.S.M.J.
Martin Luther King Building & U.S. Courthouse
50 Walnut Street
Newark, New Jersey 07101

Re: United States Securities and Exchange Commission v.
Outdoor Capital Partners, LLC, et al.
Civil Action No. 21-13813 (CCC) (MAH)

Dear Judge Hammer:

This firm represents Relief Defendant Diana Mancini in the above-referenced matter. I write to request an extension of the terms of the Court's September 8, 2022 Order staying proceedings and extending the time to answer (Dkt. No. 51) (the "Order") until May 10, 2023, due to the recent rescheduling of Defendant Samuel Mancini's sentencing in *U.S. v. Samuel J. Mancini*, Crim. No. 22-253 (the "Criminal Case"). Defendant Mancini, who is acting *pro se* in this matter, joins in the request. Counsel for Plaintiff United States Securities and Exchange Commission ("SEC") has advised that the SEC does not oppose the request.

The background of this matter is set forth in detail in the SEC's letter request dated August 29, 2022 (Dkt. No. 50) (the "August 2022 Letter Request"). Based on that request and for reasons discussed on the record at a conference on September 8, 2022, the Court entered the Order continuing the stay of discovery, except from financial institutions, and extending the deadline for Diana Mancini and Defendant Mancini to file their respective answers until February 28, 2022, which, at the time, was 20 days after Defendant Mancini's scheduled sentencing date. As the Court noted, there were expected to be contested issues at sentencing, and a continued stay would "cause little to no particularized harm to the SEC, Defendant Mancini, Relief Defendant Diana Mancini, or to the public, and will likely benefit the parties and the public by reducing the scope of discovery in the Civil Case and by narrowing or eliminating the issues to be decided in the Civil Case."

Hon. Michael A. Hammer, U.S.M.J.
February 16, 2023
Page 2

Since the entry of the Order, Defendant Mancini's sentencing in the Criminal Case has been rescheduled for April 19, 2023. For the same reasons articulated in the August 2022 Letter Request and in the Order, it remains appropriate to continue to stay discovery and extend the deadline to answer until after Defendant Mancini's sentencing. Accordingly, if the proposed Order enclosed herewith meets Your Honor's approval, we respectfully request that Your Honor enter said Order further staying discovery, except from financial institutions, and extending the time for Defendant Mancini and Diana Mancini to file answers until May 10, 2023.

Thank you for your consideration of this matter.

Respectfully submitted,

Jeffrey S. Lipkin

Jeffrey S. Lipkin

JSL:tim

Enclosure

cc: Coates Lear, Esq. (w.encl.)(via ECF)
Leslie J. Hughes, Esq. (w.encl.) (via ECF)
Mr. Samuel J. Mancini (w.encl.) (via e-mail)

UNITED STATES DISTRICT COURT
DISTRICT OF NEW JERSEY

UNITED STATES SECURITIES
AND EXCHANGE COMMISSION,

Plaintiff,

v.

OUTDOOR CAPITAL PARTNERS, LLC
AND SAMUEL J. MANCINI,

Defendants,

and

OCP ITALIA FUND LLC, OCPITALUS LLC,
and DIANA L. MANCINI,

Relief Defendants.

Civil Action No. 21-13813-CCC-MAH

ORDER

This matter comes before the Court on joint application of Relief Defendant Diana L. Mancini and Defendant Samuel J. Mancini for a continued stay of civil discovery in the above-captioned action (the “Civil Case”) and an extension of time for Relief Defendant Diana L. Mancini and Defendant Mancini to file an answer, and for good and sufficient cause shown,

WHEREAS, there is significant overlap between the Civil Case and the parallel criminal case, *United States v. Samuel J. Mancini*, Crim No. 22-253 (CCC) (the “Criminal Case”), in that the two matters involve the same individual defendant, the same alleged scheme to defraud, and many of the same potential witnesses;

WHEREAS, on April 7, 2022, Defendant Mancini pled guilty to a one-count Information in the Criminal Case charging him with securities fraud;

WHEREAS, on September 8, 2022, the Court entered an order (Dkt. 51) further staying discovery in the Civil Case, except discovery from financial institutions, and extending the time for Relief Defendant Diana L. Mancini and Defendant Mancini to answer until February 28, 2023, in light of the scheduling of Defendant Mancini's sentencing in the Criminal Case for February 8, 2023;

WHEREAS, Defendant Mancini's sentencing in the Criminal Case has been rescheduled to April 19, 2023;

WHEREAS, it remains the case that there are expected to be contested issues at the sentencing hearing, the resolution of which may narrow or eliminate issues to be decided in the Civil Case; and

WHEREAS, the pending application was made in a timely manner and is not opposed by the SEC.

IT IS ON this _____ day of February 2023,

ORDERED that all discovery relating to the Civil Case, except discovery from financial institutions, hereby is further stayed, and the time for Defendant Mancini and Relief Defendant Diana L. Mancini to answer is extended until May 10, 2023.

HON. MICHAEL A. HAMMER
UNITED STATES MAGISTRATE JUDGE